(c) the reasons for recurrence of such incidents;

(d) the steps Government have taken to prevent such ghastly incidents in Jammu and Kashmir;

(e) whether Government propose to hand over the troubled areas completely to the army; and

(f) if not, the reasons therefor?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) to (c) Militancy related incidents in J&K, aiming at soft targets like innocent and unarmed villagers have taken place during the last six months. During the year, 438 civilians have been killed till 30.6.98. Some of the major incidents perpetrated by the militants recently include killing of 23 persons in Wandhama village (Srinagar) on January 25/26, 1998, killing of 26 persons at Parankot — Dhakikote villages (Udhampur Distt.) on 17/18 April 1998, killing of 9 persons in Doda and 4 persons in Surankot (Poonch Distt.) between May 4 and 6, 1998, and killing of 25 persons of marriage parties in Champnari village (Doda) on 19 June 1998. The aim of the militants is to strike soft targets by cowardly and sneak attacks in a bid to terrorise the people and vitiate the environment.

(d) Intensive anti-militancy operations are being undertaken. The security forces/State Police have been redeployed at the strategic places to instil confidence in the people in the vulnerable areas. Close vigil is also being kept by the security forces along the border/LOC and in the interior areas.

(e) and (f) Army is operating in the counter-insurgency operations in J&K under the overall directions of the State Government/Unified HQrs.

Freedom Fighter's Pension

3895. MISS SAROJ KHAPARDE : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether applications for pension to freedom fighters from Maharashtra are still pending with Government;

(b) if so, the details thereof;

(c) the reasons for their pendency; and

(d) by when all the freedom fighters from the State will be granted pension?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) No fresh application for grant of freedom fighters pension pertaining to the State of Maharashtra is pending with the Government as on date.

(b) to (d) In view of reply to (a) above the Question does not arise.

Central Team for West Bengal

3896. SHRI JIBON ROY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government of West Bengal objected for sending the three member team by the Central Government to assess the law and order situation in the State;

(b) what were the reasons given by the West Bengal Government and the Chief Minister of West Bengal in this regard; and

(c) the reaction of Government to the objections raised by Government of West Bengal and Chief Minister of West Bengal?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) to (c) Reservations were expressed by some political leaders, particularly from West Bengal, about the constitutionality of sending Central Teams to the States to assess the law and order situation.

Article 355 of the Constitution of India casts a duty on the Union to protect every State not only against external aggression but also internal disturbance and to ensure that the Government of every State is carried on in accordance with the provisions of the Constitution. In the discharge of this duty, the Central Government is expected to keep itself posted with respect to goings-on in the States. Visits of Central officials to the States are part of this process. The Central and State Governments have all along been interacting on issues relating to law and order.

Undertrial Prisoners

3897. SHRI JANARDHANA POOJARY: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of undertrial prisoners in jails in the country who have remained there without actually being convicted for three to four years and even more as on 30th June, 1998; and

(b) the measures Government propose to take to ensure that under trials are speedly given justice?

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): (a) According to available information, there were 1,80,000 undertrial prisoners in the country as on 31.12.1997. Detailed information regarding the period spent by them in jails is not maintained at the Central level.

(b) Even though 'Prisons' is a State subject as per the Seventh Schedule to the Constitution of India, the Central Government, during its interaction with the State Governments, has been stressing upon them the need for speedy disposal of cases involving undertrial prisoners. The suggestions made in this regard include summary trials of petty offences, establishment of special courts in jails and setting up of committees comprising representatives of the Judiciary, Police and Revenue Department to review the cases involving undertrial prisoners.

राज्यों की "टाडा" बन्दियों संबंधी पुनरीक्षा समिति

3898. **श्री ईश दत्त यादव:**
चौधरी हरमोहन सिंह यादव:

क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) उन राज्यों के नाम क्या-क्या हैं जहां उच्चतम न्यायालय के निर्देशानुसार "टाडा" के अन्तर्गत निरुद्ध व्यक्तियों की रिहाई के लिए पुनरीक्षा समितियों का गठन किया गया है;

(ख) इन पुनरीक्षा समितियों की सिफारिशों पर अब तक राज्य-वार कितने व्यक्तियों को रिहा किया गया है;

(ग) क्या सरकार ने इन पुनरीक्षा समितियों द्वारा की गई सिफारिशों के अनुसार मामलों के गुण-दोष के आधार पर ऐसे कैदियों को रिहा करने के संबंध में राज्य सरकारों हेतु कोई समय सीमा निर्धारित की है;

(घ) यदि हां, तो तत्संबंधी ब्यौरा क्या है; और

(ङ) इस समय देश में "टाडा" के अन्तर्गत कितने व्यक्ति जेलों में बन्द हैं?

गृह मंत्री (श्री लाल कृष्ण आडवाणी): (क) और (ख) उच्चतम न्यायालय के निर्देशों के अनुसार, टाडा लागू करने वाले सभी राज्यों और संघ शासित क्षेत्रों में टाडा के मामलों की पुनरीक्षा करने हेतु पुनरीक्षा समितियां गठित की गयी हैं। इन राज्यों के नाम तथा पुनरीक्षा करने के बाद जिन व्यक्तियों के खिलाफ टाडा के प्रावधानों को वापस ले लिया गया उनकी संख्या का एक विवरण सदन के पटल पर रखा जाता है। *(नीचे देखिए)*

(ग) और (घ) माननीय उच्चतम न्यायालय के निर्देशों के अनुसार लंबित टाडा के मामलों की पुनरीक्षा राज्य पुनरीक्षा समितियों और केन्द्रीय पुनरीक्षा समिति द्वारा की गई है।

उपलब्ध सूचना के अनुसार, पुनरीक्षा किए जाने के बाद 23862 व्यक्तियों के खिलाफ टाडा के आरोपों को वापस ले लिया गया है। शेष बचे अधिकांश मामले, आतंकवाद के गंभीर अपराधों से संबंधित हैं। अतः लंबित पड़े इन टाडा मामलों को वापस लेना, जनहित में नहीं होगा।

(ङ) उपलब्ध रिकार्डों के अनुसार, 1094 व्यक्ति निरुद्ध हैं।